GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district and others – Initiation of departmental Common/Joint enquiry u/r 20 of APCS (CC&A) Rules, 1991 read with Rule -24 of A.P.C.S. (CC&A) Rules, 1991 - Article of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No.724 **Date: 09-10-2015.**

Read the following:-

1.From the C&DA, Hyd. Lr.No.Vig.II(2)82/13, dated:14-04-2015.
2.Govt Memo.No.3197/vig.1/2015,date:09-10-2015.

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ORDER :-

It is proposed to hold an enquiry against the said Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district**.,** in accordance with procedure laid down in Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district.is directed to submit a written statement of defence within 15 days of the receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district., is further informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district., is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district.

(through the Director of Agriculture, A.P, Hyderabad.)

Copy to:
The Director of Agriculture. A.P, Hyderabad (with a request to serve the order on the charged officer and return the served copy with dated ack.,)
SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

Annexure-I

Statement of Articles of Charge framed against Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district.

Article -I

"That the said Sri E.Nageswar Rao, Superintendent, while functioning as superintendent of establishment section in the office of the Joint Director of Agriculture, Guntur during the period from 04-09-2010 to .21-06-2014 has failed to follow the procedure laid down in APCS (CC&A) Rules, 1991 during the preparation and issue of suspension proceedings in a prescribed Form in Annexure-III mentioned in G.O.Ms.No.411, dt.20-07-1993 of G.A. (Ser.C) Dept in respect of Sri M.S.D.V.K.Prasad, the then Junior Assistant, O/o ADA(R), Sattenapalli in connection with pending criminal case for the misappropriation of Govt. funds.

Thus, Sri E.Nageswar Rao, Superintendent, was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district.

That during the aforesaid and while functioning in the aforesaid office, the said Sri V.Sridhar, Joint Director of Agriculture, Guntur has informed that the ADA(R), Sattenapalli has made a complaint to the O/o JDA, Guntur stating that Sri MSDVK.Prasad, Junior Assistant working in his office has drawn an amount of **Rs.1,00,000/-** in a/c no.8847 of CGG Bank through cheques by making forged signatures without knowledge of the ADA(R), Sattenapalli.

Further, the JDA, Guntur has submitted that as per the report received from the ADA(R), Sattenapalli, the Jr.Asst. has also operated one more bank account no.2068 which was opened in the name of ADA(R), Sattenapalli in CGG Bank, Sattenapalli without knowledge of the ADA(R), Sattenapalli and made transactions for an amount of **Rs.13,32,500/-** in the different dates by using forgery cheques in the name of ADA(R), Sattenapalli. The ADA(R), Sattenapalli has also reported that the Jr.Asst. has not handed over the connected SB a/c books and cheque books to him despite issue of instructions vide his memo.No.A/3/2013, dt.11-01-2013 and stayed away from duty since 11-01-2013 onwards. The ADA(R), Sattenapalli has lodged complaints against the Jr.Asst. in SHO, Sattenapalli and submitted FIR copy.

After perusal of the above, the Commissioner & Director of Agriculture, A.P., Hyd., the JDA, Guntur was instructed to place Sri MSDVK Prasad, Jr.Asst. O/o.ADA® Sattenapally under suspension immediately being competent disciplinary authority and submit compliance and also instructed to conduct a discreet enquiry in the matter and submit detailed report along with the names of persons responsible for the entire issue and persons failed to supervise the entire matter for initiating necessary departmental /disciplinary action besides police case vide memo. dt.19-02-2013.

Vide memo dt.10-04-2013, the C&DA has once again requested the JDA, Guntur to furnish the enquiry report and draft article of charges on the responsible persons i.e officers worked as A.D.As(R), Sattenapalli during the period, Sri MSDVK Prasad, Jr.Asst. and others, if any, duly fixing responsibility for recovery of Government money immediately.

Vide lr.No. Estt.II/173/13, dt.24-04-2013, the JDA, Guntur has submitted the inquiry report and a copy of the suspension proceedings in respect of Sri MSDVK.Prasad, Junior Assistant and stated that the draft article of charges in respect of Jr.Asst.(u/s) and against 3 ADAs (R) will be submitted within a week time.

It was observed that the suspension proceedings which were prepared and approved by Sri E.Nageswar Rao, Superintendent was not in the prescribed format as per G.O.Ms.No.411, dt.20-07-1993 of GA (Ser.C) Dept.

In the said G.O, it was mentioned that where a case has been registered and it is under investigation, the Form in Annexure-III to issue suspension order may be considered for adoption.

Thus, Sri E.Nageswar Rao, Superintendent, was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964". Hence the charge.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-III

List of documents by which article of Charge framed against Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district are proposed to be sustained.

1. Suspension proceedings No.Estt.II/173/13, dt.04-03-2013 of JDA, Guntur.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-IV

List of witness by which article of Charge framed against Sri E.Nageswar Rao, Superintendent, O/o Joint Director of Agriculture, Guntur district are proposed to be sustained.

- Nil -

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER